

रजिस्टर्ड नॉम्बर/एडॉक्यूमेंट 14.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

सिंगल, मंगलवार, 23 मार्च, 1982/2 चंत्र, 1904

हिमाचल प्रदेश सरकार

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-171002, the 12th March, 1982

No. Ind. VI(F) 10-2/78-IA-IV.—Agreement made between the H. P. Government and M/s Associated Cement Cos. Ltd., a company registered under Indian Companies Act, 1882 for the acquisition of 9 bighas land situated in village Panjgain, Tehsil Sadar, District Bilaspur, (H. P.), Khasra No. 26/13, through Industries Department for the purpose of construction of residential buildings, colony and mining limestone for Gagal Cement Project, is hereby published in the Extra-ordinary Gazette for the information of general public under section 39 of the Land Acquisition Act, 1894.

By order,
R. K. ANAND,
Secretary.

Memorandum of Agreement made this 18th day of February, 1982 between the Associated Cement Cos. Ltd. a company registered under the Indian Companies Act, 1882 and having its registered office at 121, Maharshi Karve Road in Bombay, Maharashtra (hereinafter called "the Company") of the one part, the Governor of the State of Himachal Pradesh (hereinafter called "the Governor") of the other part.

Whereas for the purpose of construction of residential buildings, colony and mining of limestone in mining area required for manufacture of Cement and construction of Crusher and other service buildings and haulage road between the Cement Factory and the mining lease area the Company has applied to the Govt. of Himachal Pradesh for acquisition under the provisions of the Land Acquisition Act, 1894, of the piece or parcel of land containing 9 Bighas 0 Biswa thereabout situated in the village of Panjgai in the District of Bilaspur and more particularly described in the Schedule hereto annexed.

And whereas the said Govt. of Himachal Pradesh, being satisfied by an enquiry held under section 40 of the said Act the proposed acquisition is needed for the aforesaid purpose and that the said work is likely to prove useful to the public, has consented to acquire on behalf of the Company the piece or parcel of land hereinbefore described.

And whereas the said Govt. of Himachal Pradesh has required the Company under the provisions of section 41 of the above-mentioned Act to enter into the agreement with the Governor hereinafter contained. Now this indenture witnesseth that it is hereby agreed and declared as follows:—

- (1) On demand the Company shall and will pay to the said Govt. of Himachal Pradesh all and every compensation in respect of the said land tendered, paid or awarded or to be tendered, paid or awarded by the Collector under Land Acquisition Act, 1894 or by Court to which a reference under Part III of the said Act may be made or by the Court or Courts to which an appeal from the award of the said Court may be preferred and all costs, charges and expenses of the proceedings in the aforesaid Courts or otherwise incidental to the proposed acquisition or payable in respect thereof under the provisions of the said Act.
- (2) On demand made by the said Collector the obligations of the Company under the last preceding clause not being thereby limited the Company shall and will deposit with the said Collector such sum or sums of money as in his discretion the said Collector may in anticipation estimate to be necessary for the purposes mentioned in the last preceding clause.
- (3) On payment by the Company of all demands under the foregoing first clause, or, in the discretion of the said Government of Himachal Pradesh on deposit by the Company of all estimated amounts as provided in the second clause, but not before possession shall have been taken under the provisions of the above-mentioned Act, the Governor shall make over possession of the said land to the Company and shall execute and do all such acts and deeds as may be necessary and proper for effectively vesting the same in the Company.
- (4) The said land shall be held by the Company for the purpose of construction of residential buildings and mining of limestone for manufacture of Cement and construction of crusher, service buildings and haulage road and for purposes connected with the mine as is hereinbefore mentioned and without the sanction in writing of the said Govt. of Himachal Pradesh first had and obtained for no other purpose whatsoever.
- (5) The said construction work in the mining area shall be completed within 3 years from the date on which possession of the land shall have been given to the Company.

- (6) Should the said construction not be completed within the period stated in the last preceding clause or within such further period as in its discretion may be prescribed or allowed by the said Government of Himachal Pradesh or should the said land at any time thereafter cease for the period of six consecutive months to be held and used or cease to be required for the purpose or purposes for in the foregoing fourth clause then and in any such case the said Government may summarily re-enter upon and take possession of the said land together with all buildings thereon, whether such buildings were erected before or after transfer of the land to the Company, and thereupon the interest of the Company in the said land and buildings shall absolutely cease and determine.
- (7) On taking such possession the said Government may sell or otherwise deal with the said land and buildings as it may think proper.
- (i) Should the said Government sell the land with the buildings the said Government after deducting the expenses incurred in connection with the said taking of possession and with such sale shall pay the proceeds to the Company.
 - (ii) Should the said Government decide not to sell the land and buildings the said Government shall retain the said land and buildings thereon in which case the Governor shall repay to the Company the market value or as on the day of re-entry of all the buildings erected by the Company and all sums received from the Company in respect of all and every compensation as provided in the foregoing first clause (less the statutory allowance of 15 per cent and less any amount received on account of trees and building which are not in existence at the time of resumption), but will not repay any sums paid and received on account of costs, charges, expenses.
 - (iii) Should the said Government decide to sell the building only, upon such sale, the Governor shall, after deducting the expenses of taking possession and selling, pay the balance of the proceeds of sale to the Company together with the sum received from the Company in respect of compensation for the land (less the statutory allowance of 15 per cent and less any amount received from the Company on account of trees and buildings which are not in existence at the time of resumption), but will not repay any sum paid and received on account of costs, charges and expenses.
- (8) The right of the public to visit the existing places of worship in the above area will be ensured as hitherto subject to the following conditions:—
- (a) The public will confine to the use of only the normal paths to the places of worship existing hitherto subject to restrictions that will have to be strictly followed by them for their own safety during the blasting operations in the mines.
 - (b) While on their way to and from the places of worship the public will refrain from intruding into the working areas within the mining lease and tampering with and/or damaging Company's properties within the area.
 - (c) No additional structures will be constructed in the vicinity of the existing places of worship.
 - (d) The existing water supply arrangements including the pipe-lines passing through the mining area will be allowed to be retained as they are and will not be disturbed.
- (9) Should any dispute or difference arise touching or concerning the subject-matter of this Agreement or any covenant clause or thing herein contained, the same shall be referred to the said Government of Himachal Pradesh and opinion and the decision of the said Government upon such dispute or difference shall be final and conclusive and binding on the parties hereto.

(10) In witness whereof the duly constituted attorney of the Company and the Governor of the State of Himachal Pradesh have hereunto set their respective hand and seals the day and year first above written.

Signed, sealed and delivered by NAIR RAMAN UNNI, General Manager, Gagal Cement Project.

Sd/-

*General Manager,
Gagal Cement Project.*

for the Company in the presence of:

Witness

Sd/-
Signature.

Sd/-

Signed, sealed and delivered by Sh. J. P. Negi, Deputy Secretary (Industries) to the Govt. of Himachal Pradesh.

Seal.

जे. पी. नेगी,
उप-सचिव (उद्योग),
हिमाचल प्रदेश सरकार।

on behalf of the Governor of the State of Himachal Pradesh in the presence of:—

Witness

Sd/-
*Supdt. H. P. Sectt.
Ind. Branch.*

The Schedule above referred to:

SCHEDULE OF LAND

District	Tehsil	Village	Khasra No.	Area Bighas Biswas
Bilaspur	Sadar	Panjgain	26/13	9 0
			Total	.. 9 0

J. P. NEGI,
उप-सचिव (उद्योग),
हिमाचल प्रदेश सरकार।

Sd/-
*General Manager,
Gagal Cement Project.*

परिवहन विभाग

अधिसूचना

शिमला-2, 16 फरवरी, 1982

संख्या 1-1/79(परिवहन).—मोटर यान अधिनियम, 1939 (अधिनियम संख्या 4 सन् 1939) की धारा 44 द्वारा प्रदत्त शक्तियों को प्रयोग में लाने हुए, राज्यपाल, हिमाचल प्रदेश, श्री बलवन्त सिंह नेगी भूतपूर्व विधायक, चेयरमैन पंचायत कल्पा, जिला किन्नौर को क्षेत्रीय परिवहन प्राधिकरण, शिमला, जिस का गठन इस विभाग की समर्थक अधिसूचना, दिनांक 29 जुलाई, 1981 द्वारा किया गया है का गैर-सरकारी सदस्य सहर्ष मनोनीत करते हैं।

आरो के 0 आनन्द,
सचिव।

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Simla-171002, the 26th February, 1982

No. EXN. (2)-5/71.—In exercise of the powers conferred by sub-sections (3), (4) and (5) of section 13 of the Central Sales Tax Act, 1956 (Act No. 74 of 1956) and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following rules for carrying out the purposes of the Act:—

1. *Short title and commencement.*—(1) These rules may be called the Central Sales Tax (Himachal Pradesh) (Amendment) Rules, 1982.
(2) These shall come in to force with immediate effect.
2. *Amendment of sub-rule (2) of rule 6.*—In sub-rule (2) of rule 6 of the Central Sales Tax (Himachal Pradesh) (Amendment) Rules, 1981, the word and figure “Rs. 8/-” shall be substituted by the word and figure “Rs. 10/-”.

ANANG PAL,
Secretary,

FOREST FARMING AND ENVIRONMENTAL CONSERVATION DEPARTMENT

NOTIFICATION

Simla-2, the 26th February, 1982

No. Fts. (A)13-2/81.—In exercise of powers conferred by section 3 of H. P. Forest Produce (Regulation of Trade) Ordinance, 1981 the Governor of Himachal Pradesh is pleased to appoint the Himachal Pradesh State Forest Corporation Ltd., as an agent for trade in for all forest produce on behalf of State of Himachal Pradesh.

B. C. NEGI,
Secretary.

पंचायती राज विभाग

अधिसूचना

शिमला-2, 19 जनवरी, 1982

संख्या पी. सी. एच. एच. ए. (3)-3/76.—हिमाचल प्रदेश पंचायती राज एकट, 1968 (एकट सं० 19 अफ 1970) की धारा 163 में प्रदत्त शक्तियों के अन्तर्गत राज्यपाल, हिमाचल प्रदेश पंचायती राज (सामान्य) वित्त आय-व्ययक, लेखा अंकेक्षण, कराधान, सेवा और भत्ते नियम, 1975 में निम्नलिखित संशोधन प्रस्तावित करते हैं जो राजपत्र में जनसाधारण की सूचनार्थ 30 दिवसीय नोटिस पर जारी किये जाते हैं। इस प्रस्तावित संशोधन में यदि किसी व्यक्ति को कोई आपत्ति हो या उसे सुझाव देना हो तो वे प्रकाशन की तिथि से 30 दिन के भीतर आपत्ति अथवा सुझाव निदेशक, पंचायती राज विभाग, हिमाचल प्रदेश, शिमला-171002 को भेजे ताकि उस पर विचार किया जा सके:—

DRAFT AMENDMENT

Under Chapter XX in provisos (i), (ii) & (iii) of clause (b) of sub-rule (2) of rule 192 of the Himachal Pradesh Panchayati Raj (General) Financial Budget Accounts, Audit, Taxation, Service and Allowances Rules, 1975 the words "Director of Panchayati Raj, Himachal Pradesh" shall be substituted for the words "Examiner, Local Fund Accounts, Himachal Pradesh" whenever they occur.

B. C. NEGI,
Secretary.

HIMACHAL PRADESH VIDHAN SABHA SECRETARIAT

NOTIFICATION

Simla-171004, the 22nd March, 1982

No. 1-4/82-VS.—In pursuance of the provisions of sub-section (1) of section 29 of the Representation of the People Act, 1951, I, R. K. Mahajan, Returning Officer, for the election by the elected members of the Legislative Assembly of Himachal Pradesh, to fill the seat in the Council of States, hereby fix, the previous approval of the Election Commission, the Committee Room, Council Chamber of Legislative Assembly, Simla, as the place at which a poll shall be taken in pursuance of the Election Commission's notification No. 318/82 (1), dated the 12th March, 1982.

R. K. MAHAJAN,
Returning Officer,
(Secretary, Vidhan Sabha),
for elections to the Council of States, Himachal Pradesh.

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला—171004, 22 मार्च, 1982,

संख्या 1-4/82-वि० स०.—सोक प्रतिनिवित्व अधिनियम, 1951 की धारा 29 की उप-धारा (के उपबन्धों के अनुसरण में, मैं, आर० के० महाजन, हिमाचल प्रदेश की विधान सभा के निर्वाचित सदस्यों द्वारा निर्वाचित के लिए रिटिनिंग आफिसर, राज्य सभा में रिक्त स्थान को भरने के लिए, निर्वाचित आयोग के पूर्व अनुमोदन से कमेटी रूप, विधान सभा, कौंसिल चैम्बर, शिमला को ऐसे स्थान के रूप में नियत करता हूँ जहां निर्वाचित आयोग की तारीख 12 मार्च, 1982 को अधिसूचना संख्या 318/82 (1) के अनुसरण में उक्त निर्वाचित के लिए भत्तान होगा ।

आर० के० महाजन,
रिटिनिंग आफिसर,
(सचिव, विधान सभा),
हिमाचल प्रदेश से राज्य सभा के लिए निर्वाचित के लिए ।

पंचायती राज विभाग

अधिसूचना

शिमला-2, 19 जनवरी, 1982

संख्या पी. सी. एच. एच. ए. (3)-3/76.—हिमाचल प्रदेश पंचायती राज ऐवट, 1968 (ऐक्ट सं० 19 आफ 1970) की धारा 163 में प्रदत्त शक्तियों के अन्तर्गत राज्यपाल, हिमाचल प्रदेश पंचायती राज (सामान्य) वित्त आय-व्ययक, लेखा अकेक्षण, कराधान, सेवा और भत्ते नियम, 1975 में निम्नलिखित संशोधन प्रस्तावित करते हैं जो राजपत्र में जनसाधारण की सूचनार्थ 30 दिवसीय नोटिस पर जारी किये जाते हैं। इस प्रस्तावित संशोधन में यदि किसी व्यक्ति को कोई आपत्ति हो या उसे सुझाव देना हो तो वे प्रकाशन की तिथि से 30 दिन के भीतर आपत्ति अथवा सुझाव निदेशक, पंचायती राज विभाग, हिमाचल प्रदेश, शिमला-171002 को भेजे ताकि उस पर विचार किया जा सके:—

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B. C. NEGI,
Secretary.

HIMACHAL PRADESH VIDHAN SABHA SECRETARIAT

NOTIFICATION

Simla-171004, the 22nd March, 1982

No. 1-4/82-VS.—In pursuance of the provisions of sub-section (1) of section 29 of the Representation of the People Act, 1951, I, R. K. Mahajan, Returning Officer, for the election by the elected members of the Legislative Assembly of Himachal Pradesh, to fill the seat in the Council of States, hereby fix, the previous approval of the Election Commission, the Committee Room, Council Chamber of Legislative Assembly, Simla, as the place at which a poll shall be taken in pursuance of the Election Commission's notification No. 318/82 (1), dated the 12th March, 1982.

R. K. MAHAJAN,
Returning Officer,

(Secretary, Vidhan Sabha),
for elections to the Council of States, Himachal Pradesh.

हिमाचल प्रदेश विधान सभा सचिवालय

अधिसूचना

शिमला-171004, 22 मार्च, 1982,

संख्या 1-4/82-वि० ०.—लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 29 की उप-धारा (के उपबन्धों के अनुसरण में, मैं, आर० के० महाजन, हिमाचल प्रदेश की विधान सभा के निर्वाचित सदस्यों द्वारा निर्वाचन के लिए रिटर्निंग आफिसर, राज्य सभा में रिक्त स्थान को भरने के लिए, निर्वाचन आयोग के पूर्व अनुमोदन से कमेटी रूप, विधान सभा, कैंसिल चैम्बर, शिमला को ऐसे स्थान के रूप में नियत करता हूँ जहाँ निर्वाचन आयोग की तारीख 12 मार्च, 1982 को अधिसूचना संख्या 318/82 (1) के अनुपरण में उक्त निर्वाचन के लिए मतदान होगा।

आर० के० महाजन,
रिटर्निंग आफिसर,
(सचिव, विधान सभा),
हिमाचल प्रदेश से राज्य सभा के लिए निर्वाचन के लिए ।

नियन्त्रक, मुद्रण तथा लेखन-सामग्री, हिमाचल प्रदेश, शिमला-५ द्वारा मुद्रित तथा प्रकाशित।